

II. Listing of Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

1-25. (Canceled)

26. (Previously Presented) A subcutaneously assembled in place orthopedic construct, comprising:

- a first bone anchor comprising a distal end and a proximal end, the proximal end including a head with a portal extending therethrough;

- a second bone anchor comprising a distal end and a proximal end, the proximal end including a head with a portal extending therethrough;

- a first support structure, configured to extend through the portals in the first and second bone anchors;

- a second support structure, configured to be attached to the spine; and

- a cross bar, which connects the first support structure to the second support structure to form an orthopedic construct;

- wherein the cross bar is attached to the first and second support structures subcutaneously; and

- wherein at least the cross bar comprises a media that is hardenable while the support structure is positioned within the body of a patient.

27. (Previously Presented) A subcutaneously assembled in place orthopedic construct as in claim 26, wherein the first support structure comprises a hardenable media.

28. (Previously Presented) A subcutaneously assembled in place orthopedic construct as in claim 27, further comprising a first cross tie connecting the cross bar to the first support, and a second cross tie connecting the cross bar the second support.

29. (Previously Presented) A subcutaneously assembled in place orthopedic construct as in claim 26, further comprising a first cross tie connecting the cross bar to the first support, and a second cross tie connecting the cross bar the second support.

30. (Previously Presented) A subcutaneously assembled in place orthopedic construct as in claim 26, wherein the cross bar includes a first aperture for receiving the first support, and a second aperture for receiving the second support.

31-32. (Canceled)

33. (Previously Presented) A subcutaneously assembled in place orthopedic construct as in claim 26, wherein the hardenable material comprises an epoxy.

34. (Previously Presented) A subcutaneously assembled in place orthopedic construct as in claim 26, wherein the hardenable material comprises a polyurethane.

35. (Previously Presented) A subcutaneously assembled in place orthopedic construct as in claim 26, wherein at least the cross bar comprises an outer wall, defining a cavity therein; and a plurality of reinforcing fibers in the cavity.

36-52. (Canceled)